

AMENDED IN ASSEMBLY APRIL 7, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 494

Introduced by Assembly Member Montanez

February 16, 2005

An act *to add Section 17071.47 to the Education Code*, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 494, as amended, Montanez. School facilities: ~~educational empowerment zones~~ *replacement buildings*.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to ~~allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition~~ *provide a supplemental grant for 50% of the replacement cost of a single-story building if a school district proposes to demolish the building and replace it with a multistory building on the same site, if certain conditions are met.*

This bill would require the board to provide a supplemental grant for 50% of the replacement cost of a building if a school district proposes to demolish the building and replace it with another building on another site, if certain conditions are met.

~~This bill would declare the intent of the Legislature to enact legislation to establish educational empowerment zones to assist in the construction of school facilities.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. It is the intent of the Legislature to enact legislation to establish educational empowerment zones to assist in the construction of school facilities.~~

SECTION 1. Section 17071.47 is added to the Education Code, to read:

17071.47. (a) If an applicant school district proposes to demolish a building and replace it on another site, the State Allocation Board shall provide a supplemental grant for 50 percent of the replacement cost of the building to be demolished, if all of the following conditions are met:

(1) The site upon which the replacement building is to be located is within a reasonable distance.

(2) The site upon which the building to be replaced is located will be used to facilitate a grade level or levels that is different than the grade level that is facilitated in the building to be replaced.

(3) The school district will increase pupil capacity when it builds the replacement building, subject to the limits imposed on it pursuant to paragraph (4).

(4) The department has determined that the demolition of a building and replacement of it on another site is a reasonable alternative and will not create a school with an inappropriate number of pupils in relation to the size of the site.

(b) As used in this section, "replacement cost" includes land acquisition costs incidental to the overall provision of the replacement building.

(c) The State Allocation Board shall establish additional requirements that it deems necessary to ensure that the economic interests of the state and the education interests of the children of the state are protected.